

INFORMATION TO OFFERORS  
SERVICE CONTRACT ACT OF 1965

The subcontract resulting from this solicitation is subject to the Service Contract of 1965. The following describes some of the basic requirements of the Act. WSRC in no way warrants that these items represent your total obligations under the ACT nor does WSRC assume any obligation to ensure that offers submitted in response to this solicitation fully comply with the Act. Each offeror has the sole responsibility to ensure that its offer fully complies with the Act and the regulations at 29 CFR Part 4 which implement the Act. The subcontract awardee will be required to comply with the Act, the regulations, and the Department of Labor's wage determination (enclosed). Failure to comply with the Act shall constitute a breach of this contract as well as a violation of the Act. A local office of the U. S. Department of Labor should be contacted if you have more specific questions on the requirements of the Act. Those offices are:

Augusta, GA	(404)722-2135
Atlanta, GA	(404)331-4306
Columbia, SC	(803)765-5981

**CLASSIFICATION OF WORKERS**

The wage determination incorporated in this subcontract may list several classifications of workers. Unless a specific classification is called for in this subcontract, selecting the proper classification is the responsibility of the Subcontractor, based upon a review of the duties described in the statement of work and the type of work performed by the employee. WSRC has certain enforcement responsibilities. No adjustments to this subcontract will be granted for the Subcontractor's failure to properly classify employees.

In the event there is no classification on the wage determination for a particular type of work performed by employees of the Subcontractor, a conformed classification must be negotiated. Details on conforming classifications may be obtained from the Department of Labor.

**WAGES**

The wage for a particular class of worker stipulated in the wage determination is the minimum hourly wage which must be paid to employees for hours worked under this subcontract. "Averaging" the Service Contract Act rate with the pay rate paid for non-WSRC work, and paying the average rate for hours worked under this subcontract is a violation of the Act and a breach of this subcontract.

A rate of one and one-half the basic hourly rate stipulated in the wage determination must be paid for all hours worked under this subcontract in excess of forty hours in one work week. The hours worked by an employee on both WSRC and non-WSRC work are to be included in the calculation of hours worked.

**HOLIDAYS**

The Act requires that the employees be provided with the paid holidays which are listed in the wage determination. Substituting holidays for those stipulated in the wage determination is governed by 29 CFR 4.174. When work is performed on a scheduled holiday, the employee must be paid eight hours pay for the holiday in addition to pay for the hours worked that day.

Holiday pay costs will not be reimbursed to the subcontractor as a separate charge. **All costs associated with these benefits must be included in the billing rate for direct, productive labor hours.**

**VACATION**

Workers employed under this subcontract are entitled to paid vacation time as stipulated on the wage determination. Additionally, if this subcontract is a continuation of the same or similar services currently being provided to WSRC, special rules regarding vacation eligibility of employees of the predecessor subcontractor apply. The subcontractor is directed to the Act, the regulations and the Department of Labor for a full understanding of the requirements. No adjustments to the subcontract will be considered for a subcontractor's failure to adequately cover the vacation requirements in the pricing structure of the subcontract.

Vacation pay costs will not be reimbursed to the subcontractor as a separate charge. **All costs associated with these benefits must be included in the billing rate for direct, productive labor hours.**

**HEALTH AND WELFARE BENEFITS**

Service workers under this subcontract are entitled to receive the Health and Welfare benefit stipulated in the wage determination. The subcontractor may discharge its obligations under this provision by 1) providing a health and welfare program, the minimum value of which is the monetary amounts shown in the determination; 2) providing a health and welfare program of a lesser value and paying the difference to the employee; 3) paying a cash equivalent to the employee. Cash equivalents and differentials paid to the employee must be segregated in the employees pay records and identified as benefits if the subcontractor intends to take credit for these items as discharging its obligations under the Act. **If the subcontractor**

**does not identify differential or equivalent pay for Health and Welfare benefits on each employee's pay record, the Department of Labor will treat this as a failure to comply with the Act and will hold the subcontractor liable for the full amount of unpaid benefits.**

Health and Welfare benefit costs will not be reimbursed to the subcontractor as a separate charge. **All costs associated with these benefits must be included in the billing rate for direct, productive labor hours.**